

NEWFIELDS PLANNING BOARD MEETING MINUTES
April 20, 2006

Attendance: Mike Price, John Hayden, William Meserve, Elliot Alexander, Mike Todd, Town Planner Reuben Hull and Selectmen's Representative Janet Smith.

Elliot Alexander was sworn in by Sue McKinnon as Planning Board member, term ending 2008.

Chairman Mike Price called the meeting to order at 7:00pm.

Preliminary Hearing-Robert Gosselin, 18 Finn Ave. –Map 204 Lot 38

Bob Gosselin explained to the Board that he removed several trees in front of his house to open up his yard. When he began removing the trees a member of the Rockingham County Conservation District came out and told him to stop because the trees were in wetlands. He was told he would have to contact the State to obtain a dredge and fill permit if he intended on filling the cleared area. He filed an application with the State and they refused to allow him to fill the 5360 sf of wetlands. The reason was because there was an agreement with the original developer of the land that there would be no further disturbance of the wetlands in that area. Bob presented his proposal to outline the wetlands with boulders and backfill up to them. This would allow him to plant grass and maintain the area surrounding the wetlands. He may consider taking out some stumps. Bob went before the Conservation Commission on April 17, 2006 with his proposal of the work to be done within the buffer zone. The Conservation Commission voted to support his application to bound the outside of the wetlands with rock, and fill in part of the buffer. According to the Conservation Commission, the current configuration of the buffer provides very little ecological benefit since it is mostly mowed lawn or driveway. They did not feel that changing the configuration would make much difference. He should be careful about the stability of the final slope and avoid siltation into the wetlands while the fill is being placed.

Mike Price asked if there was a drop off on the side of the driveway. Bob replied that the area is sloped and the contour lines are on the plan. Mike Price also asked about the drainage. Bob replied that some water drains in front of the house into a culvert under the road and some water drains out back of the wetland area. The rock wall will be a barrier in the wetlands buffer and that is why he needs approval from the Planning Board.

John asked if the plan was a new plan prepared by a wetlands scientist or if it was an existing plan from the original Deertrees subdivision done years ago. Bob replied that it is an existing plan that his engineer looked at and re-designated as wetlands.

Mike Price asked if Bob was intending on re-planting in the wetlands. He has considered that option to make the area look better but he may just let it grow back in. Decreasing the slope off the driveway and making the area manageable is what he would like to do. The Deertees Homeowners Association would like something done with the cut off area because they see it as an eyesore.

John Hayden was concerned that the Board had no input from a soil scientist regarding Bob Gosselin's plan. He feels a professional soil scientist, working on behalf of the town, get involved and make recommendations to the Board prior to approval of the plan presented. The Newfields Conservation Commission has given their approval but he questions the expertise that they have as soil scientists.

Bill emphasized that the buffer provision regulation that we just passed in March prohibits any altering of terrain within 50 feet of any wetlands. He feels we will be setting precedence if we allow Bob to go ahead with the plan.

Mike Todd clarified that this problem was created by the homeowner and he is trying to make a bad situation better. Mike also recused himself from voting because of being a member of the Homeowners Association.

Dudley Clark from the Deertrees Homeowner's Association spoke. He explained that they have been working with Bob Gosselin on this issue. He needs some remediation to clean up his yard and make it look cared for. In his opinion, this is a clean natural landscape solution to the problem.

Elliot mentioned that when land is cleared of several trees it does not look aesthetically good right away. After the spring growth comes in, it may not look that bad.

The consensus of the Board was to leave the wetlands untouched. They do not want to see the terrain altered in any way. Bob can maintain his yard the way it is. He can stump it, grind it, plant grass, etc. but the terrain must not change.

Bob said that he will need written documentation to present to the Homeowners Association. He will rescind his proposed application.

Pride Development-Gas Station/Convenience Store

John Hayden recused himself as an abutter. Bill Graham, partner with Pride Development addressed the Board. A letter was received at 1:00pm on 4/20/06 from Jones & Beach Engineering requesting a continuance until next month and Mr. Graham reiterated that information. Reuben reviewed events over the past months. The last request for a continuance was in January 2006. There was no correspondence or representation from Pride Development in February or March. The last set of plans was received in November 2005 and has not been reviewed by Traffic Engineer Kevin Dandrade or Town Planner Reuben Hull. A motion was made by Mike Todd and seconded by Bill Meserve to deny the application. The motion carried. Yes-4, No-0. Reasons for denial are cited as follows:

- 1) Multiple submissions have incrementally modified the project to a degree that the plans have substantially changed from the originally accepted application.
- 2) Failure to submit additional requested information within a timely manner.

Mike Price stated that he did speak with the Town Attorney Fran Lane and they feel confident in their decision to deny the application. If the applicant wishes they can present a new application for next month and start the process over again.

Labranche Subdivision-Map 208 Lot 8, 118 Old Lee Road

Scott Frankiewicz from Beals Associates presented the subdivision plan. He mentioned that they received subdivision approval from the State. Reuben commented that the plan is in compliance and ready for final acceptance. Bob will need to submit a check for the Registry of Deeds recording fees and pay any outstanding invoices to the Town. Elliot recused himself from voting because he is an abutter. A motion was made by John and seconded by Bill to accept the subdivision plan. The motion carried. Yes-4, No-0 The mylar was signed by the Board.

Bill Goss addressed the Board regarding the property located at 15 Swamscott Street, owned by Newbrook, fka Old Kingston Warren Building. He is the agent for the sale/lease of the facility. The property is zoned industrial and grandfathered in its current use or as a storage facility. He sees this building as an opportunity to do something good for the Town. He would like feedback from the Board regarding the types of uses they would like to see on this site.

Reuben commented that the Board has discussed this site several times when talking about expanding the commercial base in Town. They have considered changing the zoning in the downtown area to allow for different uses. Rather than changing the zoning, why not let someone come before the Board with a vision and let the Board determine if that use is desirable and appropriate. Then change the zoning to meet the vision.

Bill Goss talked about different uses that might work at the location. He explained that there is a market for individual offices and individual service bays. Some type of housing is an option but it would involve radical changes to the building. The building does abut the town landing and has access to town owned forest land which may be considered a benefit. He talked about a mixed use of some sort; possibly a two story building with office or retail on the first floor and residences on the upper floor. Whatever the change is, it would have to work with the market. The Board was agreeable to allowing Bill Goss bring ideas and proposals to them for review and feedback.

The minutes of March 16th were reviewed. A motion was made by Mike Todd and seconded by John Hayden to accept the minutes of March 16 with a minor change. The motion carried. All were in favor.

A motion was made by Mike Price and seconded by John Hayden to appoint Bill Meserve as Chairman for the upcoming year. The motion carried and all were in favor. Janet Smith has been appointed as the Selectmen's representative to the Planning Board.

Reuben presented a document to be signed by the Chairman regarding the Mill Woods Conservation Subdivision Plan and the newly created Frysalis lot. The letter pertains to a note on Plan D-16579, Subdivision of Land for David Quigley dated 1987, which states that "no further subdivision of properties herein identified until Halls Mill Road is further improved back to Rte 87. standards of such road to be determined by Selectmen. The letter would nullify and void the above stipulation of no further subdivision. The original Frysalis lot was part of the Quigley subdivision plan of 1987. Mike Price recused himself from voting. A motion was made by John and seconded by Mike Price to change the language of the letter to be specific to the Frysalis lot and to have the Chairman sign off on it. The motion carried and all were in favor.

Evergreen Estates

Reuben talked about a complaint filed by Deborah & Tom Johnson, owners of 52 Piscassic Road, regarding drainage in front of their property. The driveway culvert on the property Map 104, Lot 11 is clogged and there is standing water building up in front of their house. The NH Department of Environmental Services will be coming out to inspect the site and Reuben intends on meeting with them. The property owners believe the drainage problem is from Evergreen Estates. Reuben does not believe the water is from Evergreen Estates but is a result of the State not maintaining culvert ditches and swales on Piscassic Road.

Mike Price asked if there had been any removal of gravel from Evergreen Estates. Reuben mentioned that the next bond reduction request made by Jones & Beach should address the gravel and its removal. Jones & Beach will also prepare an estimate at that time, of the roadway repairs that will need to be done. Mike Price informed us that other towns do not even give final acceptance on a road until 80% of the houses are built. He thinks we should consider doing this in Newfields. Reuben said that the developer is only required to put up a maintenance bond which covers repairs of the roadway.

Cliff Sennott will be attending the May meeting to discuss transfer rights and transfer credits.

Reuben reported that we were not chosen for the design charrette. Also, we did not receive funding for the sidewalks.

Reuben suggested scheduling department heads to meet with the Planning Board regarding the master plan. We need to request funds from the Selectmen to go towards the master plan.

A motion was made by Bill and seconded by John to adjourn at 9:15pm. The motion carried.

The next meeting will be Thursday May 16, 2006 at 7pm.

Respectfully submitted,
Sue McKinnon

